

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**DEREK REVAL PAGE,**

**Plaintiff,**

**v.**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security,**

**Defendant.**

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**CIVIL ACTION NO. 09-00743-CG-N**

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. §636(b)(1)(B) and Local Rule 72.1 (c) is **ADOPTED** as the opinion of this Court. Defendant's motion to dismiss is hereby **DENIED** as **MOOT**.

**DONE and ORDERED** this 21st day of April, 2010.

/s/ Callie V. S. Granade  
UNITED STATES DISTRICT JUDGE